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CROWELL & MORING LLP
INTELLECTUAL PROPERTY GROUP
P.O. BOX 14300
WASHINGTON DC 20044-4300

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OFFICE OF PETITIONS

In re Application of :
Kyle Doyel et al. :
Application No. 10/694,747 : DECISION ON PETITION
Filed: October 29, 2003 :
Attorney Docket No.: :
056276.51245DV :
Title: CLEANING COMPOSITIONS :
CONTAINING DICHLOROETHYLENE AND :
SIX CARBON ALKOXY SUBSTITUTED :
PERFLUORO COMPOUNDS :

This is a decision on the petition filed March 23, 2004, requesting that the above-identified application, including page 37 of the specification, be accorded a filing date of October 29, 2003 as part of the original disclosure.

The application was deposited on October 29, 2003. However, on March 5, 2004, the Office of Initial Patent Examination (OIPE) mailed a "Notice of Omitted Item(s) in a Nonprovisional Application (notice)", stating that the application had been accorded a filing date, and advising applicants that page 37 of the specification appeared to have been omitted.

In response, on March 23, 2004, applicants filed the present petition. The petition is further accompanied by a copy of Page 37 of the specification, along with a copy of applicants' postcard receipt acknowledging receipt of "Specification, including 33 claims (pages 61)" in the United States Patent and Trademark Office (Office) on October 29, 2003. Applicants request that page 37 of the specification be accorded a filing date of October 29, 2003.

It is noted that 39 pages of specification, 20 pages of claims, and a one page abstract have been located in the electronic file.

Upon review of the record, the above-mentioned page has not been located among the application papers. However, the evidence is convincing that the application papers deposited on October 29, 2003 included Page 37 of the specification, and this sheet was subsequently misplaced in the Office.

Therefore, the application, including Page 37 of the specification, was complete on filing and entitled to a filing date of October 29, 2003 as part of the original disclosure.

Accordingly, the petition is **GRANTED**.

The notice mailed March 5, 2004 was sent in error, and is hereby **VACATED**. Therefore, no petition fee is necessary. The petition fee of \$130 has not been charged to Petitioner's Deposit Account.

The application file is being returned to OIPE for further processing with a filing date of October 29, 2003, using the original application papers filed on that date, as well as Page 37 of the specification submitted on March 23, 2004, and for noting in Office records that this sheet was present on filing.

Any inquiries related to this decision should be directed to the undersigned at (703) 305-0011.



Paul Shanowski
Senior Attorney
Office of Petitions
United States Patent and Trademark Office